

STATE OF CALIFORNIA
DEPARTMENT OF CORPORATIONS

TEXT OF PROPOSED CHANGES UNDER THE
CALIFORNIA FINANCE LENDERS LAW
PURSUANT TO NOTICE
DATED: March 26, 2002

1. Adopt Section 1422 to read:

1422. Application for license as a finance lender or broker; form.

(a) The application for a license as a finance lender or broker pursuant to Financial Code Section 22100 shall be filed upon the form set forth in subdivision (c) of this section.

(b) Within 45 calendar days from the receipt of the application under this rule, the Commissioner shall inform the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and specify what information is required to complete the application. Within 60 calendar days from the filing of a completed application, the Commissioner shall reach a decision on the license. The Commissioner's median, minimum, and maximum times for processing an application are 29 calendar days, 2 calendar days, and 122 calendar days, respectively, from the receipt of the initial application to the final decision on the license, based on the Commissioner's actual performance during the two years immediately preceding the proposal of this rule.

(c) An application for a license as a finance lender or broker shall be submitted to the Commissioner on the following form:

(Department of Corporations Use Only)

DEPARTMENT OF CORPORATIONS

Fee Paid \$ _____

File No. _____

Receipt No. _____

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

APPLICATION FOR A LICENSE UNDER THE
CALIFORNIA FINANCE LENDERS LAW

APPLICATION FOR A LICENSE AS A: ☐ LENDER ☐ BROKER ☐ BOTH

The application must be accompanied by a fee of \$300, which includes an application fee of \$200 and an investigation fee of \$100, both of which are non-refundable, (Financial Code Section 22103). The application (together with the fee payable to the Department of Corporations) must be filed in the Los Angeles office of the Department of Corporations, located at 320 West 4th Street, Los Angeles, CA 90013.

1. Name of applicant: _____

Fictitious Business Name: _____

2. Applicant is organized and will do business as (check as applicable):

☐ an individual

☐ a partnership

☐ a corporation

☐ a limited liability company

☐ other (please specify)

3. Applicant's licensed place of business shall be (Financial Code Section 22106):

(Number and Street)

(City)

(County)

(State)

(Zip)

4. The following must be completed if the applicant is an:

Individual:

The FULL first, middle and last name (if no middle name, so indicate) of the individual.

(Name)

Those applying for a license as an individual must complete the enclosed form entitled
Statement of Citizenship, Alienage, and Immigration Status. [See Exhibit L]

5. The following must be completed if the applicant is a:

☐ General Partnership ☐ Limited Partnership

The partnership applicant was organized on _____ in the

State of _____. (Date)

The FULL first, middle (if no middle name, so indicate) and last name, and complete
business address MUST be given for each general partner. Indicate if a general partner is
the managing general partner.

(Name)

(Number and Street)

(City)

(State)

(Zip)

(Name)

(Number and Street)

(City)

(State)

(Zip)

(Name)

(Number and Street)

(City)

(State)

(Zip)

6. The following must be completed if the applicant is a:

☐ Corporation

☐ Limited Liability Company

☐ Trust

☐ Other: _____

Applicant was organized on _____ in the State of _____.

(Date)

The FULL first, middle (if no middle name, so indicate) and last name, MUST be given for each person named below: (Attach additional sheets, if necessary.)

President/Chief Executive Officer:

(Name)

Executive Vice President/Vice President:

(Name)

(Name)

Secretary:

(Name)

Treasurer/Chief Financial Officer:

(Name)

Directors:

(Name)

(Name)

(Name)

Manager(s)/Member(s) [i.e., a manager member of an association, or a manager appointed or elected by the members of a limited liability company]:

(Name)

(Name)

(Name)

Trustee(s):

(Name)

(Name)

(Name)

List any person, as defined in Financial Code Section 22008 (other than those persons listed above) that owns or controls, directly or indirectly, 10% or more of the applicant. (See Financial Code Section 22105):

(Name)

(Name)

(Name)

The FULL first, middle, last name, complete business address, telephone number, and e-mail address, if any, must be given for each of the person(s) who will be in charge of the place of business.

(Name)

(Telephone no.)

(E-mail Address)

(Number and Street)

(City)

(State)

(Zip)

(Name)	(Telephone no.)	(E-mail Address)
(Number and Street)	(City)	(State)
		(Zip)

7. Has the applicant been subject to any administrative action in any other state? If so, please provide details and attach a copy of any action. If NONE, so state. (Attach additional sheets, if necessary.)

8. Please describe, if applicable (Financial Code Sections 22250 & 22550), any business to be conducted on the applicant's premises for which the applicant would need to obtain the commissioner's authorization under Financial Code Section 22154. If NONE, so state.

9. Please provide the name, address, and telephone number of the bonding agent to whom the Department can direct questions regarding the surety bond required in Exhibit B below.

(Bonding Agent)

(Telephone no.)

(Number and Street)

(City)

(State)

(Zip)

10. Please complete the following as it applies to your proposed method of operations (check all that apply):

Purpose of Loan: ☐ Commercial ☐ Consumer

Type of Collateral: ☐ Real property ☐ Personal property ☐ Unsecured

Minimum Loan Amount: \$_____ \$_____
 (Commercial) (Consumer)

For Brokers License:

☐ Loans will only be brokered to CFL licensed lenders

For Lenders License:

☐ Source of funds will be exclusive of any funding advances from an institutional investor committed to purchasing the note.

Provide a short description of your business plan_____

11. Please complete the following if the applicant's principal place of business is to be located outside of the State of California (Financial Code Section 22106):

By checking the appropriate box below, the applicant attests that a board of directors' resolution (or the resolution of the governing body of a person not a corporation) has been passed electing one of the following options:

☐ I (we) agree to make available to the Commissioner of Corporations or the Commissioner's representatives, at a location in this state designated by the Commissioner of Corporations, or the Commissioner's representatives, the books, accounts, papers, records and files within 10 calendar days of any request from the Commissioner.

OR

☐ I (we) agree to pay the reasonable expenses for travel, meals, and lodging of the Commissioner of Corporations or the Commissioner's representatives incurred during any investigation or examination made at the licensee's location outside this state.

12. The following items MUST BE provided as Exhibits to the application:

EXHIBIT A. Please provide a balance sheet of the applicant as of a date not more than 90 days prior to the date this application is filed, that indicates a minimum net worth of \$25,000. (Financial Code Section 22104; the balance sheet may be unaudited.)

EXHIBIT B. Please provide an ORIGINAL surety bond, including any and all riders and endorsements in the amount of \$25,000. Instructions and surety bond form acceptable to the Department of Corporations are enclosed. (Financial Code Section 22112.)

EXHIBIT C. Please provide, for each person named in Items 4, 5, & 6 of this application, a Statement of Identity Questionnaire, form enclosed. (Financial Code Section 22105.)

EXHIBIT D. FOR INDIVIDUAL APPLICANTS ONLY. Please complete the enclosed form entitled "Statement of Citizenship, Alienage, and Immigration Status For Application of Department of Corporations License or Certificate." (Title 10 C.C.R. Section 250.61.)

EXHIBIT E. Please complete the enclosed form entitled "Customer Authorization of Disclosure of Financial Records." A person named in Item 4, 5, or 6 of this application who is authorized to sign on behalf of the applicant must sign this form. (Financial Code Sections 22101, 22156.)

EXHIBIT F. If the applicant will be doing business under a fictitious business name, provide a copy of the Certificate of Filing and Proof of Publication, both of which bear the County Clerk's filing stamp. Refer to Section 17000 of the Business and Professions Code for the requirements of filing this statement. (Financial Code Section 22155.)

EXHIBIT G. Please provide two copies of all advertising proposed to be used in connection with the business to be licensed. If none, the Exhibit should so state. (California Code of Regulations Section 1550.)

EXHIBIT H. Please submit the following if the applicant is incorporated in the State of California (domestic corporation):

1. An ORIGINAL certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of California showing that

the applicant is authorized to do business in this State. The certificate must also indicate the original date of incorporation. (Financial Code Section 22108.)

2. A copy of the notice filed with the Department of Corporations that the initial issuance of shares of stock was entitled to an exemption pursuant to Section 25102 of the Corporations Code or was qualified for issuance in some other manner. (Financial Code Section 22108.)

EXHIBIT I. Please submit the following if the applicant is incorporated outside of the State of California (*foreign* corporation): (Financial Code Section 22108.)

1. A certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of the foreign state, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must also indicate the original date of incorporation.
2. A certificate of good standing or qualification duly executed not more than sixty days before the filing of this application by the Secretary of State of California showing that the applicant is authorized to do business in California.
3. A Consent to Service of Process (form enclosed). Service made pursuant to the terms of the consent to service of process shall have the same force and validity as if served personally on the applicant.

4. Name and address of the principal agent in California.

EXHIBIT J. If the applicant is a Trust, Limited Partnership or Limited Liability Company (*domestic* business entity) submit an ORIGINAL certificate of good standing, qualification, or other document duly executed not more than sixty days before filing this application by the Secretary of State of California showing that the applicant is authorized to do business in this State. The certificate must also indicate the original date of incorporation. (Financial Code Section 22108.)

EXHIBIT K. Please submit the following if the applicant is a Trust, Limited Partnership or Limited Liability Company organized outside of the State of California (*foreign* business entity): (Financial Code Section 22108.)

1. A certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of the foreign state, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must also indicate the original date of incorporation.
2. A certificate of good standing or qualification duly executed not more than sixty days before the filing of this application by the Secretary of State of California showing that the applicant is authorized to do business in California.

3. A Consent to Service of Process (form enclosed). Service made pursuant to the terms of the consent to service of process shall have the same force and validity as if served personally on the applicant.
4. Name and address of the principal agent in California.

EXHIBIT L. AFFIDAVIT REGARDING LAW AND RULES. Please complete and attach the enclosed Affidavit regarding the applicant's knowledge of the California Finance Lenders Law and Rules. Only one responsible officer or director is required to complete this form.

EXECUTION SECTION

Please indicate the name, address, title, and telephone number of the person who should be contacted for information regarding this application. The license will also be mailed to this person *unless otherwise instructed*.

Attention: _____

(Name)

(Title)

(Telephone Number)

(Number and Street)

(City)

(State)

(Zip Code)

Email Address: _____

In the event of the issuance of a license, applicant agrees to comply with the requirements of the California Finance Lenders Law and rules adopted, and orders issued, by the Commissioner of Corporations, and further agrees that in the event of any change of its officers, directors, or any persons named in this application, that an amendment to the application reflecting such change shall within sixty days from the date of the change, be filed with the Commissioner

of Corporations setting forth the change, the effective date of the change, the names of the persons involved in the change, and a statement of the qualifications of each successor person. (Financial Code Section 22105(a), California Code of Regulations Sections 1409, 1446.)

WHEREFORE, applicant requests that a license be issued by the Commissioner of Corporations authorizing applicant to engage in business under the California Finance Lenders Law within the State of California.

The applicant has duly caused this application to be signed on its behalf by the undersigned, thereunto duly authorized.

The undersigned, on behalf of the applicant, acknowledges that this application and all exhibits thereto which are not designated as confidential are subject to public inspection pursuant to Section 250.9.1, Chapter 3, Title 10, California Code of Regulations. A request for confidentiality of certain documents may be requested pursuant to Section 250.10. If a request for confidential treatment is granted (or denied), the person making such request will be notified in writing.

I declare under penalty of perjury that I have read the foregoing application, including all Exhibits attached thereto, or filed therewith, and know the contents thereof, and that the statements therein are true and correct.

Executed at _____

Date _____

(Applicant)

(Signature of Declarant)

(Typed Name)

(Title)

STATE OF CALIFORNIA
DEPARTMENT OF CORPORATIONS

INSTRUCTIONS FOR FILING OF SURETY BOND

The attached form contains the approved format for the Surety Bond as required by Financial Code Section 22112. Every company is required to obtain and maintain a surety bond.

The original surety bond must be filed and must include all of the following:

1. The signature of the attorney-in-fact for the surety company.
2. A notarial jurat for the attorney-in-fact.
3. A power of attorney from the surety company.
4. Legal name of the licensee. Business name(s), if applicable, may also be included.
5. The signature of the licensee.
6. The notarial jurat for the signature of the licensee.

BEFORE THE
DEPARTMENT OF CORPORATIONS
OF THE
STATE OF CALIFORNIA
EXHIBIT B

BOND OF FINANCE LENDER AND/OR BROKER
FINANCIAL CODE SECTION 22112

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

That we _____,

as Principal, whose address for service is

(Street Address, City, State and ZIP Code)

and _____, a corporation,

created, organized and existing under and by virtue of the laws of the State of _____ and

an admitted Surety insurer authorized to transact a general Surety business in the State of California, as Surety

whose address for service

is _____

(Street Address, City, State and ZIP Code)

are held and firmly bound unto the Commissioner of Corporations of the State of California, for the use thereof and for the use of any person or persons who may have a cause of action against the Principal under the provisions of the California Finance Lenders Law and all laws amendatory thereof and supplementary thereto now and hereafter enacted, in the total aggregate penal sum of _____ Dollars (\$ _____) (see Financial Code Section 22112), lawful money of the United States of America, to be paid to the Commissioner of Corporations of the State of California, or to any person or persons, for the use and benefit aforesaid, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

The condition of the above obligation is such that--

WHEREAS, The above-named Principal has made application to the Commissioner of Corporations of the State of California for a license to engage in business under and pursuant to the provisions of the California Finance Lenders Law, and is required under the provisions of the California Finance Lenders Law to furnish a bond in the sum above named, conditioned as herein set forth:

NOW, THEREFORE, The Principal, and any and all agents and employees representing the Principal, shall faithfully conform to and abide by the provisions of the California Finance Lenders Law and all laws amendatory thereof and supplementary thereto now and hereafter enacted, and of all rules and regulations lawfully made by the Commissioner of Corporations of the State of California under the California Finance Lenders Law and shall honestly and faithfully apply all funds received and shall faithfully and honestly perform all obligations and undertakings under the California Finance Lenders Law, and shall pay to the Commissioner of Corporations of the State of California and to any person or persons, for the use and benefit aforesaid, any and all moneys which become due or owing the State or to any such person or persons from the Principal under and by virtue of the provisions of the California Finance Lenders Law.

This bond is subject to the following provisions:

1. That any person who sustains an injury covered by this bond may, in addition to any other remedy that he or she may have, bring an action in his or her own name upon this bond for the recovery of any damages sustained by him or her.

2. That the total aggregate liability of the Surety or sureties herein shall be limited to the payment of
_____ Dollars (\$ _____) (insert amount of the bond).

3. This bond may be canceled by the Surety in accordance with the provisions of Sections 996.320 and 996.330 of the Code of Civil Procedure of the State of California.

4. That, in the event either the Principal and/or the Surety under this bond are served with notice of any action commenced against the Principal or the Surety under the bond, the Principal and Surety as each is served with notice of action shall respectively and, within 10 days, give written notice of the filing of such action to the Commissioner of Corporations of the State of California, at the Los Angeles office of the Department of Corporations.

5. That, in the event the Surety under this bond makes full or partial payment on this bond the Surety shall immediately give written notice of such full or partial payment to the Commissioner of Corporations of the State of California, at the Los Angeles office of the Department of Corporations.

6. That the effective date of this bond shall be _____.

Signature of Principal

Typed or Printed Name of Principal

Executed at (City and State)

I certify (or declare) under penalty of perjury that I have executed the foregoing bond under an unrevoked power of Attorney.

Executed in _____ on _____
(City and State) (Date)

under the laws of the State of California.

Signature of Attorney-in-Fact
for Surety

Printed or typed name of
Attorney-in-Fact for Surety

ALL OF THE ABOVE SIGNATURES MUST BE NOTARIZED

DEPARTMENT OF CORPORATIONS

STATE OF CALIFORNIA

EXHIBIT C

File No., if any

Licensee (Company Name) _____

(Insert Department of Corporations file number, if any, and the name of the licensee (company) to which this Statement of Identity and Questionnaire relates.)

STATEMENT OF IDENTITY AND QUESTIONNAIRE

Exact Full Name _____

(Please Print) First Name Middle Name Last Name

(Do not use initials or nicknames)

Position to be filled in connection with the preparation of this questionnaire (e.g. Officer, Director, Manager, etc.).

Sex

Hair Eyes Height Weight

Birthdate Birthplace

Social Security or California Driver's License

Taxpayer's Identification No. No. if any

NOTE: See Commissioner's Release 2-G regarding whether or not furnishing the social security number is mandatory or voluntary and for a description of the use made of that information.

Residence Business Hours of
Phone No. Phone No. Employment

1. Residence addresses for the last 10 years:

<u>From</u>	<u>To</u>	<u>Street</u>	<u>City</u>	<u>State</u>
	<u>Present</u>			

NOTE: Attach separate schedule if space is not adequate

2. Employment for the last 10 years:

<u>From</u>	<u>To</u>	<u>Employer Name and Address</u>	<u>Occupation and Duties</u>
	<u>Present</u>		

NOTE: Attach separate schedule if space is not adequate.

3. Have you ever been named in any order, judgment or decree of any court or any governmental agency or administrator, temporarily or permanently restraining or enjoining you from engaging in or continuing any conduct, practice or employment?

☐ Yes ☐ No

If the answer is "Yes" give details:

4. Have you ever been refused a license to engage in any business in this state or any other state, or has any such license ever been suspended or revoked?

☐ Yes ☐ No

If the answer is "Yes" give details:

-
-
5. Have you ever been convicted of or pleaded nolo contendere to a misdemeanor or felony other than traffic violations?

NOTE: "Convicted" includes a verdict of guilty by judge or jury, a plea of guilty or of nolo contendere or a forfeiture of bail. All convictions must be disclosed even if the plea or verdict was thereafter set aside and the charges against you dismissed or expunged or if you have been pardoned. Convictions occurring while you were a minor must be disclosed unless the record of conviction has been sealed under Section 1203.45 of the California Penal Code or Section 781 of the California Welfare and Institution Code.

☐ Yes ☐ No

If the answer is "Yes" give details:

-
-
6. Have you ever been a defendant in a civil court action other than divorce, condemnation or personal injury?

☐ Yes ☐ No

If the answer is "Yes" please complete the following:

Date of suit _____ Location of court _____

Nature of suit _____

7. Have you ever been a subject of a bankruptcy or a petition in bankruptcy?

☐ Yes ☐ No

If the answer is "Yes" give date, title of case, location of bankruptcy filing:

8. Have you ever been refused a bond, or have you ever had a bond revoked or canceled?

☐ Yes ☐ No

If the answer is "Yes" give details:

9. Have you ever changed your name or ever been known by any name other than that herein listed?

(Including a woman's maiden name)

☐ Yes ☐ No

If so, explain. Change in name through marriage or court order should also be listed. EXACT DATE OF EACH NAME CHANGE MUST BE LISTED.

10. Have you ever done business under a fictitious firm name either as an individual or in the partnership or corporate form? ☐ Yes ☐ No

If the answer is "Yes" set forth particular

NOTE: The following questions must be answered by all persons submitting this questionnaire in connection with an ESCROW AGENT'S LICENSE.

11. In what capacity will you be employed?
(E.g., Clerk, Escrow Officer, Manager, Officer, Director, etc.)

12. Do you expect to be a party to, or broker or salesman in connection with escrows conducted by the escrow company which is employing you? ☐ Yes ☐ No

If the answer is "Yes" please explain:

NOTE: Attach separate schedule if space is not adequate.

This statement will be considered confidential information and will be filed and maintained as part of the confidential records not subject to public inspection.

VERIFICATION

I, the undersigned, state that I am the person named in the foregoing Statement of Identity and Questionnaire; that I have read and signed said Statement of Identity and Questionnaire and know the contents thereof, including all exhibits attached thereto, and that the statements made therein, including any exhibits attached thereto, are true.

I certify/declare under penalty of perjury that
the foregoing is true and correct.

Executed at _____ (City)

(County)

(State)

this _____ day of _____, 20_____.

=====

(Signature of Declarant)

State of _____)

County of _____)

Date _____, 20____

at _____

(Signature of Affiant)

Subscribed and sworn to before me

_____, 20____

Notary Public in and for said County and State

NOTE: This verification may be made either before a Notary Public or as a declaration under penalty of perjury. This form MUST be executed before a notary public if it is executed OUTSIDE the State of California.

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

CUSTOMER AUTHORIZATION FOR DISCLOSURE OF

FINANCIAL RECORDS

EXHIBIT E

Pursuant to Financial Code Section 22156 and Government Code Section 7473, any financial institution, wherever situated, possessing financial records of

(Name of Company as appears on Application)

Licensed under the CALIFORNIA FINANCE LENDERS LAW

is hereby authorized to disclose to the California Department of Corporations records of the above-named business licensed under the above-described Act, whether such records relate to accounts which have been closed, accounts which are currently maintained, or accounts which are hereafter established.

This authorization is effective as of the date of execution and shall remain effective until five years after the expiration or revocation of the above-named business licensed under the above-described Act, including renewals of such license.

This authorization may not be revoked.

The terms used in this authorization shall have the definitions contained in the California Right to Financial Privacy Act (Government Code Section 7460 et seq.), and the California Finance Lenders Law (Financial Code Section 22000 et seq.).

The above-named licensee has duly caused this authorization to be signed on its behalf by the undersigned, thereunto duly authorized.

Executed on _____ at _____

(Provide date and city where executed)

(Name of Licensee)

By _____

(Signature)

(Title)

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

INSTRUCTIONS FOR CUSTOMER AUTHORIZATION

FOR DISCLOSURE OF FINANCIAL RECORDS FORM

On the reverse side is a Customer Authorization for Disclosure of Financial Records form. The Commissioner of Corporations is authorized to require such authorization from licensees and other persons pursuant to the authority cited in Financial Code Section 22156

The form must be properly executed and submitted with the attached application for license, qualification, registration, or other authority.

All information required on the form, except the signature of the person executing the form, is to be typewritten.

If additional authorization forms are needed, they may be obtained from any office of the Department of Corporations, or an accurate copy of the form may be used by applicant.

STATE OF CALIFORNIA
TO THE COMMISSIONER OF CORPORATIONS OF
THE STATE OF CALIFORNIA

CONSENT TO SERVICE OF PROCESS

EXHIBITS I AND K

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, _____ (a corporation, partnership or limited liability company organized under the laws of the State of _____), (an individual), (other _____) hereby irrevocably appoints the Commissioner of Corporations of the State of California, or the Commissioner's successor in office, to be the undersigned's attorney to receive service of any lawful process in any noncriminal suit, action or proceeding against the undersigned, or the undersigned's successor, executor, or administrator which arises under the California Finance Lenders Law or any rule or order thereunder after this consent has been filed, with the same force and validity as if served personally on the undersigned.

For the purpose of compliance with the California Finance Lenders Law, notice of the service and a copy of the process should be sent by registered or certified mail to the undersigned at the following address:

(Name and Address)

Dated: _____

By _____

Title _____

ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

On _____ before me, (here insert name and title of the officer), personally appeared

_____ personally known to me (or provided to me on the basis of satisfactory evidence) to be the person(s)
who/whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument are the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____ (Seal)

Any certificate of acknowledgement taken in another place shall be sufficient in this state if it is taken in accordance
with the laws of the place where the acknowledgement is made.

STATE OF CALIFORNIA
DEPARTMENT OF CORPORATIONS
AFFIDAVIT REGARDING LAW & RULES
CALIFORNIA FINANCE LENDERS/BROKERS LICENSE
EXHIBIT L

In the matter of the Application for a License under the California Finance Lenders Law, I, the undersigned, authorized to act on behalf of the applicant, declare that the following statements are true and correct:

1. I (we) have obtained and read copies of the California Finance Lenders Law (Division 9 of the California Financial Code) and the Finance Company Rules (Chapter 3, Title 10, California Code of Regulations) and am familiar with their content.
2. I (we) agree to comply with all of the provision of the California Finance Lenders Law and Finance Company Rules.

Additionally, by signing this affidavit as provided for on the Execution Page, the applicant hereby agrees (or attests) or declares their understanding of the following items listed below:

1. That the brokers license issued pursuant to this Division does not provide the authority to broker loans to a lender that are not licensed as finance lenders as defined in Section 22009 and that finance lenders may not pay compensation for brokerage services (i.e. brokerage commission, finders fee, referral fees, etc.) to anyone not licensed as a broker under this Division, except for those exempt persons as provided for in Section 1451 of the Rules.
2. That the applicant will maintain staff adequate to meet the requirements of the California Finance Lenders Law, as prescribed by rule or order of the Commissioner of Corporations.

3. That the applicant will keep and maintain for 24 months from the date of final entry the business records and other information required by law or rules of the Commissioner of Corporations regarding any mortgage loan made or serviced in the course of the conduct of its business.
4. That the applicant will file with the Commissioner of Corporations any report required by the Commissioner.
5. That the applicant will file with the Commissioner of Corporations an amendment to this application prior to any material change in the information contained in the application for licensure, including, without limitation, the plan of operation.
6. That the applicant will submit to periodic examinations by the Commissioner of Corporations as required by the California Finance Lenders Law.
7. That the applicant will maintain a register of all loans made or brokered under this license that will be updated at least monthly, and that the information maintained in the register will include the name and address of the borrower, account number, amount of loan, date of loan, terms, total of payments and the annual percentage rate, and that the register will also show the account number, name of borrower and payoff date of all loans paid in full.
8. That the applicant will hereby attests that the applicant (including officers, directors and principals) has not engaged in conduct that would be cause for denial of a license. Only one Affidavit required for each applicant.

(Signature)

(Print name and title)

2. Adopt Section 1423 to read:

1423. Short form application for licensees seeking additional location license; form.

(a) The application for a licensee seeking an additional location license pursuant to Financial Code Section 22102 shall be filed upon the form set forth in subdivision (c) of this section. An applicant under this section must currently hold a valid finance lender or broker license pursuant to Financial Code Sections 22100 and 22101.

(b) Within 20 calendar days from the receipt of the application under this rule, the Commissioner shall inform the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and specify what information is required to complete the application. Within 15 calendar days from the filing of a completed application, the Commissioner shall reach a decision on the license.

(c) An application for a licensee as set forth in subdivision (a) shall be submitted to the Commissioner on the following form:

(Department of Corporations Use Only)

DEPARTMENT OF CORPORATIONS

Fee Paid \$

File No.

Receipt No.

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

“SHORT FORM APPLICATION”

FOR A LICENSE UNDER THE

CALIFORNIA FINANCE LENDERS LAW

CURRENTLY HOLDING ONE OR MORE LICENSES

APPLICATION FOR A LICENSE AS A: ☐ LENDER ☐ BROKER ☐ BOTH

This application must be accompanied by a fee of \$300 which includes an application fee of \$200,
and an investigation fee of \$100, both of which are non-refundable. (Financial Code Section
22103.) The application (together with the fees payable to the Department of Corporations) must be
filed only in the Los Angeles office of the Department of Corporations, located at 320 West 4th
Street, Suite 750, Los Angeles, CA 90013.

1. Name of applicant: _____

Fictitious Business Name: _____

(If the applicant will be doing business under a fictitious business name that has not been previously provided to the Department, provide a copy of the Certificate of Filing and Proof of Publication, both of which bear the County Clerk's filing stamp. Refer to Section 17000 of the Business and Professions Code for the requirements of filing this statement. [Financial Code Section 22155].)

2. Applicant's licensed place of business will be located at (Financial Code Section 22106):

(If outside of California provide statement required in Financial Code Section 22106.)

(Number and Street)

(City)

(State)

(Zip)

(Telephone number)

(Fax number)

3. The FULL first, middle and last name (if no middle name, so indicate) of the individual in charge of this location.

* _____
(Last Name)

(First Name)

(Middle Name)

(*Furnish a Statement of Identity Questionnaire (FS 512 SIQ). If this form has already been provided to the Department for this individual, there is no need to provide another form.

(Form attached.) (Financial Code Section 22105.))

4. Please indicate by marking the appropriate box if there has been or will be ANY CHANGE in the applicant's plan of business previously submitted to the Department of Corporations.

☐ Yes (please explain) _____

☐ No.

5. Please provide license number and address of one other CFL license held by this applicant.

File # _____ Address _____

6. Please provide the name and address of the person to contact regarding this application.

The license will also be mailed to this person unless otherwise instructed.

Attention: _____

(Name)

(Title)

(Telephone Number)

(Number and Street)

(City)

(State)

(Zip Code)

Email Address: _____

In the event of the issuance of a license, applicant agrees to comply with the requirements of the California Finance Lenders Law and rules adopted, and orders issued, by the Commissioner of Corporations, and further agrees that in the event of any change of its officers, directors, or any persons named in this application, that an amendment to the application reflecting such change shall within sixty days from the date of the change, be filed with the Commissioner of Corporations setting forth the change, the effective date of the change, the names of the persons involved in the change, and a statement of the qualifications of each successor person. (Financial Code Section 22105(a), California Code of Regulations Sections 1409, 1446.)

WHEREFORE, applicant requests that a license be issued by the Commissioner of Corporations authorizing applicant to engage in business under the California Finance Lenders Law within the State of California.

The applicant has duly caused this application to be signed on its behalf by the undersigned, thereunto duly authorized.

The undersigned, on behalf of the applicant, acknowledges that this application and all exhibits thereto which are not designated as confidential are subject to public inspection pursuant to Section 250.9.1, Chapter 3, Title 10, California Code of Regulations. A request for confidentiality of certain documents may be requested pursuant to Section 250.10. If a request for confidential treatment is granted (or denied), the person making such request will be notified in writing.

I declare under penalty of perjury that I have read the foregoing application, including all Exhibits attached thereto, or filed therewith, and know the contents thereof, and that the statements therein are true and correct.

(Applicant)

Executed at _____

(Signature of Declarant)

Date _____

(Typed Name)

(Title)